



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard T. DEAN et al.      Art Unit : 1654  
Serial No. : 08/236,402      Examiner : J. Russel  
Filed : May 2, 1994  
Title : TECHNETIUM-99M LABELED IMAGING AGENTS

**TRANSMITTAL OF TERMINAL DISCLAIMER**

S I R:

Submitted herewith is an executed Terminal Disclaimer. An unexecuted copy was filed on 23 June 2003.

The fee required by 37 C.F.R. § 1.20(d) was paid when the unexecuted copy was submitted. In these circumstances, it is believed that another fee is not required.

However, if such fee is required, it should be charged to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 15 March 04

Frederick H. Rabin  
Frederick H. Rabin      Reg. No. 24,488

Fish & Richardson P.C.  
45 Rockefeller Plaza, Suite 2800  
New York, New York 10111  
Telephone: (212) 765-5070  
Facsimile: (212) 258-2291  
30182042.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 15, 2004  
Date of Deposit  
Maryann White  
Signature

Maryann White  
Typed or Printed Name of Person Signing Certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard T. DEAN et al.                      Art Unit : 1654  
Serial No. : 08/236,402                                      Examiner : J. Russel  
Filed : May 2, 1994  
Title : TECHNETIUM-99M LABELED IMAGING AGENTS

**TERMINAL DISCLAIMER**

Diatide, Inc., owner, of all right, title and interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 as currently shortened by any terminal disclaimer, of prior Patent No. 5,849,261.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 of said prior patent, as currently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any

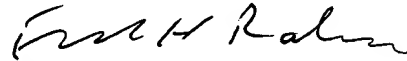
Applicant : Richard T. DEAN et al.  
Serial No. : 08/236,402  
Filed : May 2, 1994  
Page : 2

Attorney's Docket No.: 09744-006001 / DITI 107

manner terminated prior to the expiration of its full statutory term as currently shortened by any terminal disclaimer.

Respectfully submitted,

Date: 10 March 04



Frederick H. Rabin  
Attorney for Applicants and Patent Owner  
Reg. No. 24,488

Fish & Richardson P.C.  
45 Rockefeller Plaza, Suite 2800  
New York, New York 10111  
Telephone: (212) 765-5070  
Facsimile: (212) 258-2291